



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/050,770	01/16/2002	Minoru Higuchi	NEC A326	7860
7590	10/21/2003		EXAMINER	
Norman P. Soloway HAYES, SOLOWAY, HENNESSEY, GROSSMAN & HAGE, P.C. 175 Canal Street Manchester, NH 03101			DUONG, THOI V	
			ART UNIT	PAPER NUMBER
			2871	

DATE MAILED: 10/21/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/050,770

Applicant(s)

HIGUCHI, MINORU

Examiner

Thoi V Duong

Art Unit

2871

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 ~~is~~/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 ~~is~~/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

1. This office action is in response to the Amendment, Paper No. 5, filed July 23, 2003.

Accordingly, claims 1-14 were amended and claims 15-20 were cancelled.

Currently, claims 1-14 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-3, 5, 7-10, 12 and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Okada et al. (USPN 6,549,261 B1).

As shown in Fig. 2, Okada discloses a liquid crystal display device 200 comprising:

(a) a liquid crystal display unit emitting lights externally; and

Art Unit: 2871

(b) a display filter 70 arranged in alignment with a screen of said liquid crystal display unit, said display filter having a function of absorbing visible rays having a wavelength other than wavelengths of red, green and blue lights (col. 4, lines 16-29 and col. 8, lines 22-29),

With respect to claims 2 and 9, Okada discloses that the display filter is a color glass filter containing pigment as a light absorber, said light absorber absorbing visible rays having a wavelength other than wavelengths of red, green and blue lights, and may replace a transparent substrate 50 at the observation side (col. 8, lines 22-52).

With respect to claims 3, 5, 10 and 12, Okada discloses that the display filter is a transparent film which contains pigment as a light absorber, said light absorber absorbing visible rays having a wavelength other than wavelengths of red, green and blue lights, and adheres to a transparent substrate 50, said transparent substrate being positioned in alignment with said screen (col. 8, lines 22-52).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 4, 6, 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Okada et al. (USPN 6,549,261 B1) as applied to claims 1-3, 5, 7-10, 12 and 14 above in view of Hiramoto et al. (USPN 5,847,783).

As shown in Fig. 2, Okada discloses a liquid crystal display (LCD) device that is basically the same as that recited in claims 4, 6, 11 and 13 except for an adhesive layer mixed with a light absorber formed on the lower surface of the transparent film 70.

Hiramoto discloses a LCD device wherein a pigment is mixed and dispersed in an adhesive, which transmits light, for obtaining a desired display color (col. 3, lines 55-65 and col. 4, line 66 through col. 5, line 4). Thus, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the LCD device of Okada with the teaching of Hiramoto by having a transparent film adhered to the screen or to the transparent substrate through an adhesive layer mixed with a light absorber formed on the lower surface of the transparent film so as to obtain a desired display color.

Response to Arguments

6. Applicant's arguments filed July 23, 2003 have been fully considered but they are not persuasive.

Applicant argued that Okada never suggests a motivation for improving contrast in bright places by providing a plasma display panel with a display filter having a function of absorbing visible rays having wavelengths other than wavelengths of red, green and blue lights as required by Applicant's claims. The Examiner disagrees with the Applicant's remarks because the display filter of Okada has the same function as that of the Applicant's claims for improving the display quality by improving clarities of displayed colors so as to obtain a high-quality display (col. 2, lines 13-22). Although Okada does not suggest providing a plasma display panel with a display filter, it is

obvious that this display filter is applicable to any light modulation display which modifies the incident light to display an image. Finally, the recitation "plasma display panel" has not been given patentable weight because it is a preamble of the Applicant's claims.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thoi V. Duong whose telephone number is (703) 308-3171. The examiner can normally be reached on Monday-Friday from 8:00 am to 4:30 pm.

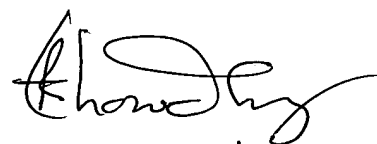
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Kim, can be reached at (703) 305-3492.

Application/Control Number: 10/050,770
Art Unit: 2871

Page 6

Thoi Duong

10/17/2003


T. Chowdhury
Primary Examiner.